



Eric McDonough <phd2b05@gmail.com>

Your obligation as an officer of the Court

Eric McDonough <phd2b05@gmail.com>

Tue, Jul 7, 2020 at 12:37 AM

To: "Matthew H. Mandel" <MMandel@wsh-law.com>, "Samuel I. Zeskind" <SZeskind@wsh-law.com>
Cc: Elizabeth Sewell <ESewell@cityofhomestead.com>, "Edward G. Guedes" <EGuedes@wsh-law.com>, Steve Losner <slosner@cityofhomestead.com>, Sean Fletcher <sfletcher@cityofhomestead.com>, Stephen Shelley <sshelley@cityofhomestead.com>, Jenifer Bailey <JBAILEY@cityofhomestead.com>, Larry Roth <Lroth@cityofhomestead.com>, Patricia Fairclough <Pfairclough@cityofhomestead.com>, Erica Avila <eavila@cityofhomestead.com>, Cate McCaffrey <cmccaffrey@cityofhomestead.com>, agreenstein004@hotmail.com

Dear Matt,
I hope you had a nice Independence day weekend.

Your failure to reply letting me know you have filed a bar complaint, as is your duty as an officer of the court is disturbing to say the least.

Therefore, I must inquire, are you knowingly and willfully refusing to comply with said requirements of your position as an officer of the court?

Please let me know so I can take appropriate action if you do not have the moral and/or ethical fortitude to do so yourself, as you are demonstrably aware of your colleague(s) absolute failure to comply with their duty of candor towards the tribunal, and their deliberate lies made to the court. That is unless you are claiming that your name and/or signature on court documents, and statements you have made in open court, mean nothing because your clients and everyone else expect you all to knowingly and deliberately lie through your teeth to earn the tax dollars you are paid.

Regards,

Dr. James Eric McDonough

ps. Any word on when your deadbeat clients are going to pay me my \$611 in appellate costs as agreed to?

On Wed, May 27, 2020 at 4:58 PM Eric McDonough <phd2b05@gmail.com> wrote:

Sorry,

I meant to add to the last message, that if you cannot provide me a copy of the complaint you file, can you at least notify me when you file it.

I feel you should be able to file this by June 27, 2020.

If I do not hear back regarding this matter, I will be forced to file my own complaints.

Thank you again.

Dr. James Eric McDonough

On Wed, May 27, 2020 at 4:56 PM Eric McDonough <phd2b05@gmail.com> wrote:

Hi Matt,

Again it was a pleasure speaking with you today.

As per our discussion I am providing you with a copy of the email where Ed Guedes and Sam Zeskind discussed how they had both deliberately lied to and/or mislead the judges at both the trial and appellate level in case no. 16-12412, appeal no. 3D16-2462.

I was disgusted to find out just how depraved these two individuals are in their dealings with the courts and I expect you will be too. While this may not have been a case you worked on, you have cited it in your Judicial Notice Filings in cases of which you are the lead counsel, so you made it relevant.

As you were not involved in that I will draft further emails to both Zeskind and Guedes individually.

As an even bigger issue directly involving you, for which you do have an obligation, I am also attaching Zeskind's

Motion to Compel filed December 20, 2017, in case no. 17-17515.

You will want to look at pages 8-9.

Further, I am attaching a copy of the screenshot of Zeskind's evidence to support his claim that, "the City is aware of at least one instance where McDonough has stated that he intends to someday write a book on how to harass government entities with public records requests and prevail in court on the subsequent lawsuits."

Obviously he deliberately lied and/or mislead the court there as well, and clearly violated his duty of candor towards the tribunal, Bar Rule 4-3.3.

I thank you for affirmatively acknowledging your duty and obligation to report the unethical dealings of a colleague.

As to your comment about witnessing said actions, your name is also on the motion, so Zeskind threw you under the bus on that. Therefore, you cannot deny knowledge of this. Remember your duty as an officer of the court comes to the faithful administration of justice before your clients or colleagues.

Zeskind's shenanigans here (and your name is on the document as well), turned a simple case that 3 violations of the law had already been found at the first hearing in to the current monstrosity, where approximately \$200,000 of Homestead taxpayer money was flushed down the drain.

Zeskind should really be patting himself on the back if his desire was to drain as many billable hours from the city coffers as possible. However, if he was trying to actually dispose of the case properly, he should just go ahead and hand in his bar card as he is a miserable failure.

But I digress.

Based on the above, I am respectfully requesting that you notify the courts and/or file a bar complaint as is your professional duty and obligation.

I think we both agree it will look better coming from you than me, and this will prevent me from having to file bar complaints against two or more attorneys.

Sincerely,

Dr. James Eric McDonough